

02-12-01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Patent Examining Operations



10/60/20

10/09/03
10/09/03 U.S. PRO
10/09/03 U.S. PRO

Applicant(s): Thiede, et al.
 Serial No:
 Filed: February 9, 2001
 Title: Production of Megakaryocytes by the Use of Human Mesenchymal Stem Cells
 Attorney
 Docket No.: 640100-407
 Customer No.: 27162

TRANSMITTAL LETTER

Box Continuation Application

Commissioner for Patents
 Washington, D.C. 20231

SIR:

Enclosed please find the following:

1. Request for Filing a Continuation Application of Application Serial No. 09/316,797, filed May 21, 1999;
2. Copy of prior application Serial No. 09/316,797, including an unexecuted Declaration and Power of Attorney, and an executed Declaration and Power of Attorney;
3. Check No. 4160 in the amount of \$475.00; and
4. A self-addressed, postage paid, return receipt postcard, date stamp and return of which is respectfully requested.

The Commissioner is authorized to charge payment of any additional filing fees required under 37 C.F.R. 1.16 associated with this communication or credit any overpayment to Deposit Account No. 03-0678.

EXPRESS MAIL CERTIFICATE

Express Mail Label No. EL680645352US

Deposit Date: February 9, 2001

I hereby certify that this paper and the attachments hereto are being deposited today with the U.S. Postal Service "Express Mail Post Office To Addressee" service under 37 CFR 1.10 on the date indicated above addressed to:

BOX CONTINUATION APPLICATION

Commissioner for Patents

Washington, DC 20231

Raymond J. Lillie
 Raymond J. Lillie

Date

#94474 v1

Respectfully submitted,

Raymond J. Lillie, Esq.
 Reg. No. 31,778
 CARELLA, BYRNE, BAIN, GILFILLAN,
 CECCHI, STEWART & OLSTEIN
 6 Becker Farm Road
 Roseland, NJ 07068
 Tel. No.: (973) 994-1700
 Fax No.: (973) 994-1744

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Thiede, et al.

Continuation of Serial No.: 09/316,797 Group: Unassigned

Parent Filed: May 21, 1999 Examiner: Unassigned

For: Production of Megakaryocytes by the Use of Human
Mesenchymal Stem Cells

Docket No.: 640100-407 Customer No.: 27162

Honorable Commissioner for Patents
Box Continuation Application
Washington, D.C. 20231

Sir:

This is a request for filing a:

XX Continuation _____ Divisional

Application under 37 CFR 1.53, of pending prior application

Serial No. 09/316,797 filed on May 21, 1999

of Mark A. Thiede and Pankaj Qasba
(Applicant)

for PRODUCTION OF MEGAKARYOCYTES BY THE USE OF HUMAN
MESENCHYMAL STEM CELLS

(Title)

1. X Enclosed is a copy of the prior application (21 pages of specification, two pages of claims, a one-page abstract, and 6 sheets of drawings) including the oath or declaration as originally filed and an affidavit or declaration verifying it as a true copy.
2. X The filing fee is calculated below:

CLAIMS AS FILED, LESS ANY CLAIMS CANCELLED BY AMENDMENT

For	Number filed	Number extra	Rate	Basic Fee
				\$355.00
Total claims	8 - 20=	0	\$ 9.00 [] 18.00 []	
Independent Claims	6 - 3=	3	\$40.00 [X] 80.00 []	\$120.00
				<u>TOTAL FILING FEE \$</u>
				<u>\$475.00</u>

3. The Commissioner is hereby authorized to charge the above fee and any fees which may be required, or to credit any overpayment to Deposit Account No. 03-0678. A duplicate copy of this sheet is enclosed.
4. A check in the amount of \$475.00 is enclosed.
5. Cancel in this application original claims _____ of the prior application before calculating the filing fee.
6. Amend the specification by inserting before the first line the sentence:
--This is a Continuation of Application Serial No. 09/316,797 filed May 21, 1999, which is based on U.S. Provisional Application No. 60/086,420, filed May 22, 1998 and U.S. Provisional Application No. 60/108,308, filed November 13, 1998, upon which this application claims priority.
7. Also appended are copies of the originally filed drawings (6 sheets, Figures 1-6) as filed with the prior application.
8. New formal drawings as filed in the parent application are enclosed. Accordingly please delete the original and insert the enclosed formal drawings.
9. The certified copy has been filed in prior application Serial No. _____ filed _____.
10. The prior application is assigned of record to
Osiris Therapeutics, Inc., Baltimore, Maryland 21231.

11. The power of attorney in the prior application is to Raymond J. Lillie (Reg. No. 31,778) of Carella et al., 6 Becker Farm Road, Roseland, NJ 07068-1739.
- (a) The Power appears in the original papers of the prior application.
- (b) Since the Power does not appear in the original papers, a copy of the power in the prior application is enclosed.
- (c) Address all future communication to:
Raymond J. Lillie at the above address.
12. A Preliminary Amendment will be filed at a later date.
13. I hereby verify that the attached papers are a true copy of the prior application Serial No. 09/316,797 as originally filed on May 21, 1999.
14. Assignee is a Small Entity.

The undersigned declares further that any statements made herein of his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

EXPRESS MAIL CERTIFICATE	
Express Mail Label No. <u>EL680645352US</u>	
Deposit date: <u>February 9, 2001</u>	
<p>I hereby certify that this paper and the attachments hereto are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above addressed to:</p> <p>Box Continuation Application Commissioner for Patents Washington, DC 20231</p> <p><i>Raymond J. Lillie</i> <u>2/9/01</u></p>	
Raymond J. Lillie, Esq.	Date

#94431 v1

Respectfully submitted,



Raymond J. Lillie, Esq.
Reg. No. 31,778
CARELLA, BYRNE, BAIN,
GILFILLAN,
CECCHI, STEWART & OLSTEIN
Six Becker Farm Road
Roseland, NJ 07068
Tel. No.: (973) 994-1700
Fax No.: (973) 994-1744